

MAY 28 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CONGOREN, CLERK
BY:  DEPUTY CLERK

KELVIN A. CANADA,
Plaintiff,

v.

TRACY RAY,
Defendant.

) Civil Action No. 7:08cv00219
)
)

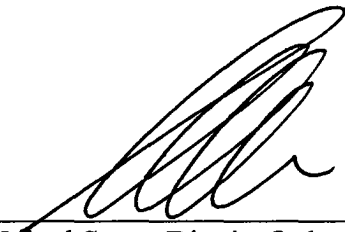
) ORDER
)
)

) By: Samuel G. Wilson
) United States District Judge

In accordance with the accompany memorandum opinion, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ADOPTED in part** and **REJECTED in part**. Canada's claims regarding access to courts, excessive fines, and living conditions in the segregation unit are **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B). Therefore, only Canada's claims regarding the tuberculosis testing, publications, and nude photographs remain. The court will proceed with these claims by separate order.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 28th day of May, 2010.



United States District Judge